

85-111-A

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 to allow a lot width of 100 feet for four apartments, instead of the required 110 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Unable to obtain any further property to meet the required 110 feet.
2. Tenants would have to be displaced creating hardship on them.
3. The cost to convert the property would overly tax the owners, placing them in financial hardship.
4. The extra apartments help the owners with mortgage payments, the loss of this income would put the owners in a destitute situation, also the lender used the income from the rentals to qualify for the mortgage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____

Legal Owner(s):
JOHN JOSEPH MILLER JR.
(Type or Print Name)
Signature *John Joseph Miller Jr.*
Address _____
City and State _____

PAUL BLAISE ARMSTRONG
(Type or Print Name)
Signature *Paul Blaise Armstrong*
Address _____
City and State _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
JOHN MILLER OR PAUL ARMSTRONG
Name _____
Address 100 MELVIN AVENUE BALTO., MD. 21228
Phone No. 747-5146

Attorney for Petitioner:
Robert Greenwalt
(Type or Print Name)
Signature *Robert Greenwalt*
Address #202 611 Frederick Rd.
City and State Catonsville, MD 21229

Attorney's Telephone No. 255-7

ORDERED By the Zoning Commissioner of Baltimore County, this 4th day of September, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of October, 1984, at 10:00 o'clock A.M.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: October 16, 1984
Norman E. Gerber, Director
FROM: OFFICE OF PLANNING AND ZONING
John J. Miller, Jr., et al
SUBJECT: No. 85-111-A

It is this office's opinion that the granting of the subject variance would in effect be a variance to the permitted residential density and, as such, cannot be granted.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/et

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 15, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
600
Nicholas B. Commodari
Chairman

Robert Greenwalt, Esquire
#203
611 Frederick Road
Catonsville, Maryland 21228

RE: Case No. 85-111-A (Item No. 52)
Petitioner - John J. Miller, Jr., et al
Variance Petition

Dear Mr. Greenwalt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 27, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #52 (1984-1985)
Property Owner: John J. Miller, Jr., et al
N/E/S Melvin Ave. 1515' N/W from Frederick Rd.
Acres: 100.96/101.17 X 200/200
District: 1st

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

As no public facilities are involved, this office has no comment.

Very truly yours,

Gilbert S. Benson
GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:ROP:iss



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

10-4-84

Re: Zoning Advisory Meeting of 9-4-84
Item # 52
Property Owner: John J. Miller, Jr., et al
Location: N/E/S Melvin Ave.
N/W of Frederick Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-99 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board on _____.
- ☐ Landscaping should be provided on this site and shown on the plan.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☐ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

Required on-site parking for 4 apartments must be shown on the plan.

Eugene A. Boser
Eugene A. Boser
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

September 12, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 52 -ZAC Meeting of September 4, 1984
Property Owner: John J. Miller, Jr., et al
Location: N/E/S Melvin Avenue 1515' N/W from Frederick Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a lot width of 100' for four apartments in lieu of the required 110'.

Acres: 100.96/101.17 X 200/200
District: 1st

Dear Mr. Jablon:

The petitioner should provide off street parking for the apartments.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/cdm

85-111-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of September, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner John J. Miller, Jr., et al
Petitioner's Attorney Robert Greenwalt
Received by Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

Respectfully submitted,
The undersigned members of the
Melvin Avenue Community Association

NAME	ADDRESS
Bruce & Nancy Hamilton	35 Melvin
Linwood & F. Simpson	33 Melvin Ave.
Irvin C. Meyers	7 Melvin Ave.
Steve Meyer	7 Melvin Ave.
William E. Zell	3 Melvin Ave.
Patty Kinn	5 Melvin Ave.
Ellen Ripper	44 Melvin Ave.
Deanna C. Higgins	46 Melvin Ave.
Mary Schaffner	46 Melvin Ave.
James L. Turner	114 Melvin Ave.
Donna L. Turner	114 Melvin Ave.
Roberta Dunning	115 Melvin Ave.
Richard Dunning	115 Melvin Ave.
Carol Layton	116 Melvin Ave.
Emil Layton	116 Melvin Ave.
Charles J. Judd	120 Melvin Ave.
William G. Judd	120 Melvin Ave.
Camilla & Jerry Meyer	111 Melvin Ave.
Ray & Cheryl Hall	113 Melvin Ave.
Tom & Cathy Hall	105 Melvin Ave.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

October 16, 1984

Robert Greenwalt, Esquire
#203 611 Frederick Road
Baltimore, Maryland 21228

RE: Petition for Variance
NE/S Melvin Ave., 1515' NW of
c/l of Frederick Rd. (100 Melvin Ave.)
John J. Miller, Jr., et al - Petitioners
Case No. 85-111-A

Dear Mr. Greenwalt:

This is to advise you that \$40.70 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 135826

DATE Oct. 25, 1984 ACCOUNT R-01-615-000

AMOUNT \$40.70

RECEIVED John Joseph Miller, Jr.

FOR Advertising and Posting of Case No. 85-111-A

U.S.*****407618 #264F

VALIDATION OR SIGNATURE OF CASHIER

ZONING DESCRIPTION

Beginning for the same on the northeast side of Melvin Avenue at the distance of 1515 feet northwesterly from the corner formed by the intersection of the northeast side of Melvin Avenue and the centerline of Frederick Road. Thence the following courses and distances:

1. N 29° 45' W 100.96 feet
2. N 61° 22' E 200 feet
3. S 29° 45' E 101.17 feet

4. S 61° 25' W 200 feet to the place of beginning. Also known as 100 Melvin Avenue. In the 1st Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-111-A

District Lot _____ Date of Posting 10-25-84

Posted for: Variance

Petitioner: John J. Miller, Jr., et al

Location of property: NE/S Melvin Ave. 1515' NW of c/l of Frederick Rd. (100 Melvin Ave.)

Location of Signs: in front of 100 Melvin Avenue

Remarks:

Posted by: *Arnold Jablon* Date of return: 10-25-84

Number of Signs: 7

PETITION FOR VARIANCE

1st Election District

LOCATION: Northeast side of Melvin Avenue, 1515 feet Northwest of the centerline of Frederick Road (100 Melvin Avenue)

DATE AND TIME: Tuesday, October 23, 1984 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

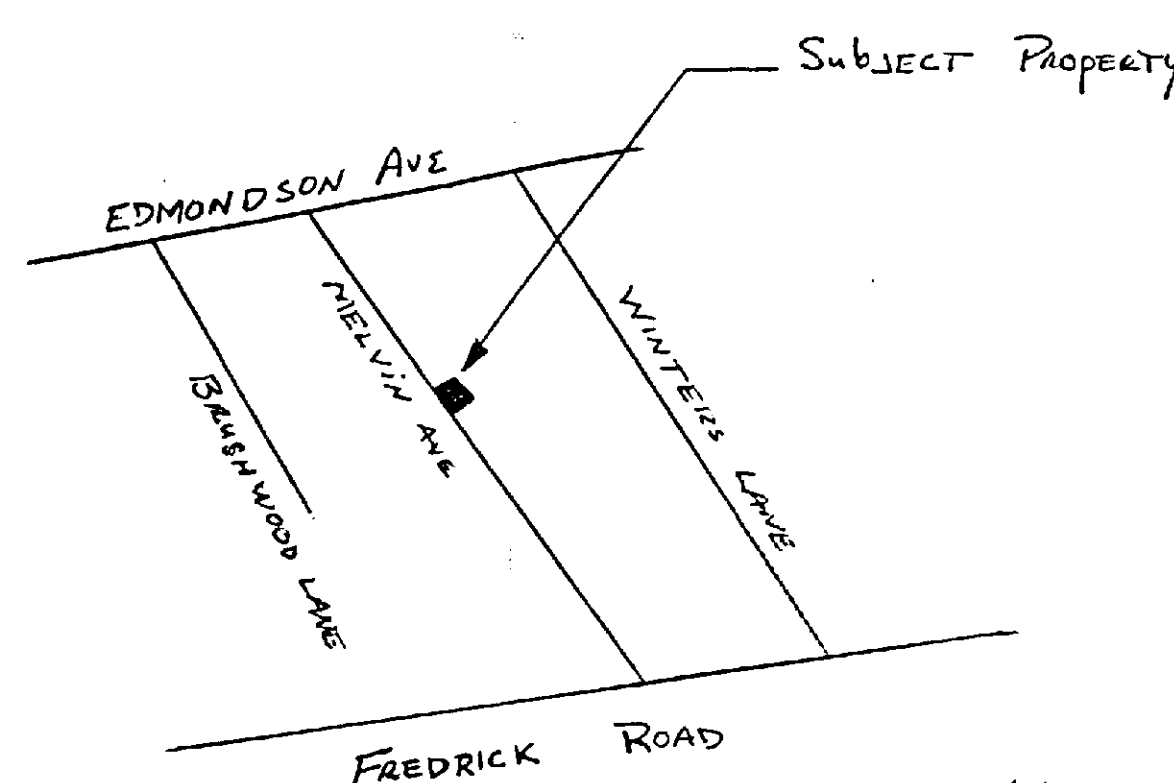
Petition for Variance to allow a lot width of 100 feet for four (4) apartments instead of the required 110 feet.

Being the property of John Joseph Miller, Jr., et al as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

VICINITY MAP



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

December 3, 1984

Robert Greenwalt, Esquire
No. 203
611 Frederick Road
Catonsville, Maryland 21228

RE: Petition for Variance
NE/S Melvin Ave., 1515' NW of the
center line of Frederick Rd. (100
Melvin Ave.) - 1st Election District
John Joseph Miller, Jr., et al -
Petitioners
Case No. 85-111-A (Item No. 52)

Dear Mr. Greenwalt:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Ted Turner
114 Melvin Avenue
Catonsville, Maryland 21228

Mr. Tom Belt
105 Melvin Avenue
Catonsville, Maryland 21228

People's Counsel

Capt. William Brady
Fire Prevention

Robert Greenwalt, Esquire
#203 611 Frederick Road
Catonsville, Maryland 21228

NOTICE OF HEARING

RE: Petition for Variance
NE/S Melvin Ave., 1515' NW of the
c/l of Frederick Road
(100 Melvin Avenue)
John J. Miller, Jr., et al - Petitioners
Case No. 85-111-A (Item #52)

TIME: 10:00 A.M.

DATE: Tuesday, October 23, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133243

DATE 8/21/84 ACCOUNT 01.615.000

AMOUNT 100.00

RECEIVED John J. Miller, Jr.

FOR: Fee for Variance #52

U.S.*****1000018 #224F

VALIDATION OR SIGNATURE OF CASHIER

Office of
PATUXENT
Publishing Corp.

10750 Little Patuxent Pkwy
Columbia, MD 21044

85-111-A

October 5 19 84

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE
59148

was inserted in the following:

☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for One successive weeks before the 6 day of October 19 84, that is to say, the same was inserted in the issues of

October 4, 1984

PATUXENT PUBLISHING CORP.
By *Patuxent*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

vs.

Defendant

CERTIFICATE OF PUBLICATION OF

Gerald R. Conley 101 Melvin

Gary De 103 Melvin Ave

Vilma Adams 109 Melvin

James Brackley 108 Melvin

Highland and Louise Flanagan 110 Melvin Ave.

Wm. J. Armstrong & Maxine 117 Melvin Ave

Richard P. and Mary L. Kulon 9 Melvin Ave

Elizabeth M. Matrangola 102 Melvin Ave, 21228

Joseph F. Matrangola 102 Melvin Ave 21228

John B. Gaska 42 Melvin Ave 21228

Joseph B. Gaska 42 Melvin Ave 21228

Regina Olmer 12 Melvin Ave 21228

Kileen C. Olmer 12 Melvin Ave 21228

PETITION FOR VARIANCE
1st Election District

LOCATION: Northeast side of Melvin Avenue, 1615 feet Northwest of the corner of Frederick Road (100 Melvin Avenue)

DATE & TIME: Tuesday, October 21, 1984 at 10:00 A.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to allow a lot width of 100 feet for four (4) apartments instead of the required 110 feet.

Being the property of John Joseph Miller, Jr., et al as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Oct. 4.

85-111-A
CERTIFICATE OF PUBLICATION

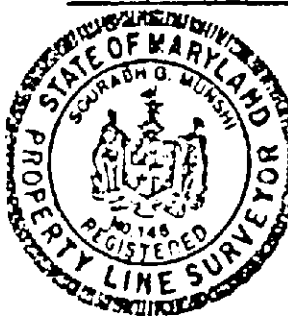
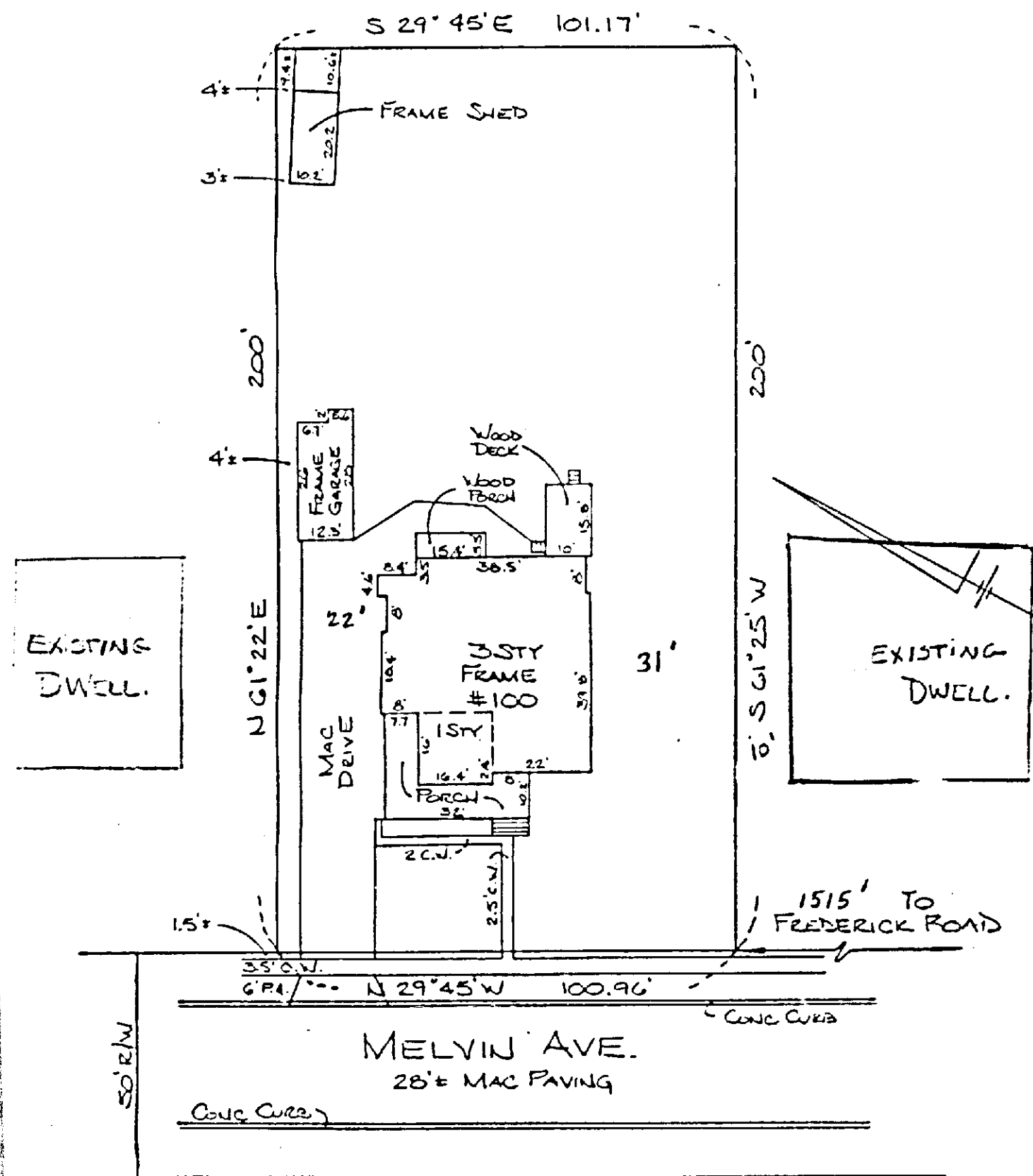
TOWSON, MD., -----October 4,----- 1984-----

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on -----October 4,-----, 1984.

THE JEFFERSONIAN,

John B. Gaska
Publisher

Cost of Advertising 18⁰⁰



PLAT FOR ZONING VARIANCE
OWNERS JOHN J. MILLER JR. & PAUL B. ARMSTRONG
DISTRICT - 1, ZONED D.R. S.5
PARCEL #990 BOOK. No. 6251 Page 577
EXISTING UTILITIES IN MELVIN AVE.

85-1650

3/24/85
TO JJ
8

18 March 1985

Baltimore County
Office of Planning & Zoning
Towson, MD 21204

JOHN S. MILLER, et al

RE: Passed Order on #85-111-A 12.3.84
Item #52

ATTENTION: Jean M. H. Jung

Dear Ms. Jung,

Subject zoning was approved contingent upon all requirements of the life safety code and the Maryland Smoke Detection Laws and approved fire inspection within (120) days.

The petitioners request that due to the inclement weather and financial difficulties, that the (120)-day deadline be extended and that an additional (90) days be granted.

Thanking you, we remain,

Very truly yours,

John Miller
John Miller

Paul Armstrong
Paul Armstrong

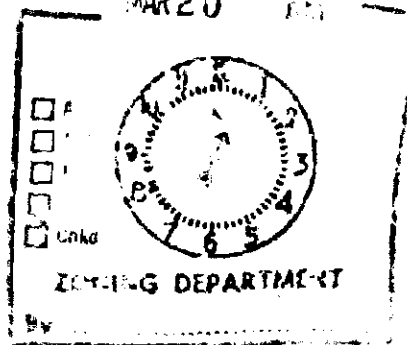
JM/pac

Smoke detectors shall be installed immediately.
Extension for 90 days granted for life safety code, Md. Smoke Detection Laws & approved fire inspection.
Jean M. H. Jung
3/21/85
cc: sent 3/21



611 Frederick Road
Catonsville, Maryland 21228
(301) 744-8311

MEMBERS: Greater Baltimore Board of Realtors, Howard County Board of Realtors, Inc., National Association of Realtors



11:30 AM
Paul
683-6610

3/21/85
85-111-A
Item 52